

MINUTES
Regular Meeting of the College Park City Council
Tuesday, October 25, 2016
Council Chambers
7:30 p.m. – 9:46 p.m.

PRESENT: Mayor Wojahn; Councilmembers Kabir, Nagle (arrived at 7:33 p.m.), Brennan, Dennis, Stulich (arrived at 7:51 p.m.), Kujawa (arrived at 7:33 p.m.) and Cook.

ABSENT: Councilmember Day.

ALSO PRESENT: Scott Somers, City Manager; Bill Gardiner, Assistant City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Terry Schum, Director of Planning; Bob Ryan, Director of Public Services; Gary Fields, Director of Finance; Miriam Bader, Senior Planner; Chris Keosian, Student Liaison and Brandon Carroll, Deputy Student Liaison.

Mayor Wojahn opened the meeting at 7:30 p.m.

Announcements:

Councilmember Dennis announced that the Martin Luther King, Jr. Tribute Committee has begun planning the January 2017 event.

Councilmember Kabir said there will be a community clean-up in north College Park on Saturday November 19 beginning at 10:00 a.m.

City Manager's Report: Mr. Somers reported that the Public Works yard will be open on Saturday October 29 and a shredding truck will be there. Youth and Family Services will host the Halloween Thing on the same day. The College Park Blues Festival will be held at Ritchie Coliseum on November 5.

Proclamations And Awards: Mayor Wojahn read the proclamation for Small Business Saturday which is on November 26, 2016.

Amendments To And Approval Of The Agenda: The agenda was approved without amendment by a vote of 6 – 0 – 0 (Brennan/Dennis).

PUBLIC COMMENT ON CONSENT AND NON-AGENDA ITEMS:

Oscar Gregory, 9253 Limestone Place: He commended City Parking Enforcement Officer Willeava Easterling for her quick actions when she discovered live wires burning in College Park Woods. Mr. Somers reported that Ms. Easterling had been named Employee of the Quarter in recognition of her response to the situation.

PUBLIC HEARINGS:

- a. **Ordinance 16-O-09, a proposal to lower the City's Homestead Tax Credit Rate from 4% to 2%**

Mr. Fields provided an overview: This ordinance would reduce the City's Homestead Property Tax from 4% to 2% which would provide some tax relief to owner-occupied residential properties in the City.

Comments from the Audience:

Oscar Gregory, 9253 Limestone Place: 48% of City revenue comes from Property Tax, 2/3 of which is paid by homeowners unable to pawn off those costs on others like businesses do. This modest proposal aims to help protect our homeowners from tax increases. After the City took the windfall on the constant yield rate, we can afford this.

There being no other public comment on this ordinance, Mayor Wojahn declared the public hearing closed.

CONSENT AGENDA:

A motion was made by Councilmember Brennan and seconded by Councilmember Dennis to adopt the Consent Agenda, which consists of the following:

- 16-R-28 Adoption of Resolution 16-R-28 creating an "honorary member" category for former Board and Committee members**
- 16-G-137 Approval of Minutes: September 27, 2016 Worksession; October 4, 2016 Worksession; October 11, 2016 Regular Meeting as corrected.**

The motion passed 6 – 0 – 0.

ACTION ITEMS:

- 16-G-131 Approval, with conditions, of DSP-15031 for EZ Storage, 5151 Branchville Road, and approval of an agreement for deed of dedication**

Ms. Bader provided an overview: Staff is recommending approval of the DSP with conditions, plus approval of a variance. Ms Bader said staff has worked with the applicant on the conditions. Mr. Farrar, representing the applicant, said they agree with the conditions.

A motion was made by Councilmember Brennan and seconded by Councilmember Dennis to recommend approval of Detailed Site Plan 15031 including the request for a variance from the required 25-foot building setback from Branchville Road subject to the following:

- 1. Prior to DSP certification, revise the site plan to be consistent with the frontage exhibit that shows a 4-foot sidewalk connecting to the office entry walk and a 3-foot planting area along the western parking lot area; a 7-foot planting area along Branchville Road east of the driveway entrance to the office parking lot; and a turn-around area where Branchville Road dead-ends at the railroad tracks.**
- 2. Ensure that all required parking and loading spaces are provided on site.**
- 3. Prior to building permit, provide a deed of dedication to the City that establishes a minimum of 25 feet of right-of way from the center line of Branchville Road along the front of the subject property. Applicant is to provide a letter in substantially the**

form attached prior to the Planning Board hearing agreeing to provide the deed of dedication.

The motion passed 6 – 0 – 0.

[Councilmember Stulich arrived.]

16-G-132 Approval of a letter to M-NCPPC with the City’s budget requests

Mr. Gardiner provided an overview: Requested items include connection to the new Paint Branch Playground, improvements to Hollywood Park, and capital funding for the connector trail in College Park Woods. Last year the City requested improvements to the Acredale dog park: the Commission has funded a new area for small dogs at the dog park but not the improvements requested by the City. The Council also supported asking the Commission to stop all planning for the stormwater pond at Hollywood Park. Regarding the City’s prior interest in a north College Park Community facility: there is no funding for this item so he revised the letter to include design and construction of same.

Councilmember Nagle requested another amendment to the letter clarifying our request is to fund a study of the north College Park Community Center, not necessarily design and construction. The letter will be amended to add the word “study”.

Councilmember Kujawa asked about funding for the College Park Woods connector trail since they only had a chance to meet about this last week. Mr. Gardiner said funding through a state grant may require a 20% match.

A motion was made by Councilmember Kabir and seconded by Councilmember Cook to authorize the Mayor to send correspondence to M-NCPPC on behalf of the City outlining projects the City would like to be funded in the FY’18 M-NCPPC budget.

Councilmember Kabir discussed the improvements that residents want to see at Hollywood Park and the consensus in the community against the proposed stormwater pond.

Comments from the Audience:

Oscar Gregory, 9253 Limestone Place: He was hoping that the completion of playground renovations at their community park would be included in the letter; he thought that was supposed to precede development of the trail.

Councilmember Kujawa said those improvements have been approved and are proceeding.

Mayor Wojahn said he spoke to Mr. Ortiz about the proposed stormwater pond and was informed the proposal is off the table and no longer under consideration.

The motion passed 7 – 0 – 0.

16-G-133 Approval of a letter to Adam Ortiz (DOE) and Ronnie Gathers (M-NCPPC) expressing the City's opposition to the stormwater management pond for Hollywood Neighborhood Park

A motion was made by Councilmember Nagle and seconded by Councilmember Kabir to authorize the Mayor to send correspondence to the directors of the Prince George's County Department of the Environment and the Department of Parks and Recreation stating the City's support for the NCPA position on the proposed stormwater pond and related project.

Councilmember Nagle thanked the North College Park Civic Association and noted that the CBE and TLB unanimously voted to support the NCPA's position.

The motion passed 7 – 0 – 0.

16-G-134 Approval of a letter to Prince George's County Fire Chief Marc Bashoor expressing concerns on staffing at the Branchville Volunteer Fire Department

Mr. Ryan provided an overview: Last week Branchville Volunteer Chief Leizear informed Council about the trouble they are having trying to sustain services with an all-volunteer force. Two years ago County Fire Chief Bashoor briefed Council about the removal of career staff from Branchville. This letter requests the restoration of some career staff to that station.

Councilmember Kabir said the County Fire Department has not provided the requested data. He requested an amendment to the letter asking them to provide statistics on the impact of reduction of staffing at Branchville.

A motion was made by Councilmember Kabir and seconded by Councilmember Brennan to authorize the Mayor to send an amended letter to Fire/EMS Chief Marc Bashoor requesting restoration of career fire staff to the Branchville Fire station.

Councilmember Kujawa asked if there is anything else we can do. Mr. Ryan said we discussed last week that the City can assist with trying to recruit volunteers; Councilmembers can reach out to their constituents.

Mayor Wojahn said this is a County budget matter and we can reiterate to our County Council Members the need to restore this staff. Councilmember Nagle said our residents can also write letters. Councilmember Kujawa suggested including Dr. Loh on the letter since this station serves part of campus.

Councilmember Kabir asked if we could help produce a video promoting volunteerism at the fire department and asked what it would cost. Mr. Ryan said there is a video from the Maryland State Firemen's Association that we can use.

The motion passed 7 – 0 - 0.

16-O-09 Adoption Of 16-O-09, An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 175 “Taxation”, Article II “Homestead Property Tax Credit”, By Repealing And Reenacting §175-3 “Rate”, To Change The Homestead Property Tax Credit Rate From 104% To 102%.

A motion was made by Councilmember Nagle and seconded by Councilmember Kabir to adopt Ordinance 16-O-09, An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 175 “Taxation”, Article II “Homestead Property Tax Credit”, By Repealing And Reenacting §175-3 “Rate”, To Change The Homestead Property Tax Credit Rate From 104% To 102%.

Councilmember Nagle said this will not hurt the City’s ability to function and this is a way to give something back to the residents who occupy their homes.

The motion passed 6 – 1 – 0 (Brennan opposed).

16-O-11 Introduction of an amendment to Chapter 38, Ethics, to add a definition of “immediate family”

Ms. Ferguson provided an overview: The Ethics Commission requested this change and representatives attended the Worksession last week. This is an appropriate request and is more consistent with what the state does.

A motion was made by Councilmember Dennis and seconded by Councilmember Brennan to Introduce Ordinance 16-O-11 Amending Chapter 38, “Code Of Ethics”, by Repealing and Reenacting Article I, “General Provisions”, Section 38-4, “Definitions”, to provide the definition of immediate family to clarify what financial information is required to be disclosed City elected officials and candidates to be City elected officials under §38-15.

The Public Hearing will be November 15, 2016 at 7:30 p.m. in the Council Chambers

16-O-12 Introduction of FY ’17 Budget Amendment #1

Mr. Fields reviewed the staff report. There are four items in this budget amendment, three of which were previously approved by the City Council: the Old Parish House 200th anniversary celebration, funding for the development consult, and contribution to the tennis center. The fourth item is the capital outlay for emergency generators at City Hall.

A motion was made by Councilmember Dennis and seconded by Councilmember Brennan to introduce Ordinance 16-O-12, an Ordinance of the Mayor and Council of the City of College Park to Amend the Fiscal Year 2017 Operating and Capital Budget of the City of College Park, Maryland (Amendment #1).

Mayor Wojahn announced that the Public Hearing will be November 15, 2016 at 7:30 p.m. in the Council Chambers.

16-G-136 Appointments to Boards and Committees

A motion was made by Councilmember Brennan and seconded by Councilmember Dennis to reappoint Chris Gill to the APC, appoint Alex Tobin to the NQOL Committee (Student position), appoint Seth Statler to the NQOL Committee (Resident position), and appoint Cristophoros Beck to the EAC. Further, Ms. Thelma Lomax was named an honorary member of the Martin Luther King, Jr. Tribute Committee and Ms. Deloris Cass was named an honorary member of the Veterans Memorial Committee. The motion passed 7 – 0 – 0.

COUNCIL COMMENTS:

Councilmember Brennan announced the ParkRun on Saturday at 9:00 a.m.

Councilmember Dennis announced the weekly Police Coffee Club at Jason's Deli tomorrow morning at 9:00.

Councilmember Kujawa congratulated the police officers who were recently promoted.

Councilmember Cook announced that the League of Women Voters forum on Question D is on the City's Facebook page.

Mayor Wojahn announced the early voting schedule. There is a fundraiser at Fish Net for Hurricane Matthew relief.

STUDENT LIAISON COMMENTS: SGA is running an early voting bus out of Stamp Student Union. Deputy Student Liaison Carroll was joined by Ralph, the official mascot of the SGA, for being the most outstanding member of the SGA this week.

CITY MANAGER'S REPORT: District 1 Commander Major Alexander has been transferred; the new District 1 Commander is Rosa Guixans. He asked if Council wanted to further discuss the fence ordinance at a Regular Meeting or Worksession. The response was Worksession. Any questions for APC consideration should be sent to Ms. Ferguson or Ms. Schum by Monday to be considered at the next APC meeting. The Council is interested in knowing more about the types of cases the APC has been hearing.

ADJOURN: A motion was made by Councilmember Dennis and seconded by Councilmember Brennan to adjourn into a Closed Session to consider the acquisition or sale of real property, discuss a negotiating strategy, consult with Counsel on a legal matter and discuss a personnel matter. The motion carried 7 – 0 – 0 and Mayor Wojahn adjourned the Regular Meeting at 8:42 p.m.

Janeen S. Miller, CMC
City Clerk

Date
Approved

Pursuant to §C6-3 of the College Park City Charter, at 8:42 p.m. on October 25, 2016, a motion was made by Councilmember Dennis and seconded by Councilmember Brennan to enter into a Closed Session to: 1) consider the acquisition or sale of real property for a public purpose and matters directly related to such acquisition or sale, 2) discuss a negotiating strategy before a contract is awarded, 3) consult with Counsel on a legal matter, and 4) discuss a personnel matter. The motion passed 7 – 0 – 0 and the Council entered into the closed session at 8:54 p.m.

Present: Mayor Wojahn; Councilmembers Kabir, Nagle, Brennan, Dennis, Stullich, Cook and Kujawa.

Absent: Councilmember Day.

Also Present: Scott Somers, City Manager, attended the entire closed session. Bill Gardiner, Assistant City Manager; Janeen Miller, City Clerk; and Suellen Ferguson, City Attorney, attended for topic 1.

Topics Discussed:

- 1) A proposal on a City property
- 2) An employment agreement

Actions Taken: None.

Adjourn: A motion was made by Councilmember Brennan and seconded by Councilmember Stullich to adjourn the closed session, and at 9:51 p.m. with a vote of 7 – 0 – 0, Mayor Wojahn adjourned the meeting.

Pursuant to §C6-3 of the College Park City Charter, at 11:08 p.m. on October 18, 2016, a motion was made by Councilmember Brennan and seconded by Councilmember Kujawa to enter into a Closed Session to: 1) consider the acquisition or sale of real property for a public purpose and matters directly related to such acquisition or sale, 2) consider a matter that concerns the proposal for a business to locate in Prince Georges' County, and 3) consult with counsel on a legal matter. The motion passed 7 – 0 – 0 and the Council entered into the closed session at 11:14 p.m.

Present: Mayor Wojahn; Councilmembers Kabir, Nagle, Brennan, Dennis, Stullich, Day, and Kujawa.

Absent: Councilmember Cook

Also Present: Scott Somers, City Manager; Bill Gardiner, Assistant City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; and Terry Schum, Director of Planning.

Topics Discussed:

- 1) The status of a property in College Park that the City is interested in acquiring
- 2) Recent ruling in a legal matter and what it means to the City

Actions Taken: None.

Adjourn: A motion was made by Councilmember Brennan and seconded by Councilmember Day to adjourn the closed session, and at 11:32 p.m. with a vote of 7 – 0 – 0, Mayor Wojahn adjourned the meeting.